

DECLARATORY RESOLUTION

Improvement Res. No. 726-1940

For the vacation of the first alley north of Swinney Avenue from the west line of Broadway to a point sixteen (16) ft. E. of the W. line of Lot No. (32) Edsall's Add. also for the opening of an al. on the W. 16 ft. of Lot No. (32) Edsall's Add. from the N. line of Swinney Ave. to S. line of 1st al. North of Swinney Avenue.

Resolution Adopted:

November 14, 1940,

Confirmed:

Thurs. December 5, 1940, 7:30 P.M.

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

Thurs. December 26, 1940, 7:30 P.M.

ENTERED FOR
TAXATION BY
M. J. SPRANG

FEB 26 1941

DECLARATORY RESOLUTION NO. 726-1940.

For the vacation of the first alley north of Swinney Avenue from the west line of Broadway to a point sixteen (16) feet east of the west line of Lot Number thirty-two (32) Edsall's Addition; also for the opening of an alley on the west sixteen (16) feet of Lot Number thirty-two (32) Edsall's Addition from the north line of Swinney Avenue to the south line of the first alley north of Swinney Avenue.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley north of Swinney Avenue from the west line of Broadway to a point sixteen (16) feet east of the west line of Lot Number thirty-two (32) Edsall's Addition; also to open an alley on the west sixteen (16) feet of Lot Number thirty-two (32) Edsall's Addition from the north line of Swinney Avenue to the south line of the first alley north of Swinney Avenue.

The cost of said vacation and opening as above described shall be assessed against Lot Number thirty-two (32) Edsall's Addition and Lots Numbered four (4) and five (5) General Electric Company Addition to the City of Fort Wayne, Indiana.

The property which may be injuriously or beneficially affected by the proposed alley vacation and alley opening as above described is described as all lots lying north of Swinney Avenue; east of College Street; south of vacated Wall Street and west of Broadway.

The vacation of the first alley north of Swinney Avenue from Broadway to a point sixteen (16) feet east of the west line of Lot Number thirty-two (32) Edsall's Addition shall be subject to the right of the City of Fort Wayne, Indiana, and other public utilities to maintain and repair sewers, drains, water pipes, gas pipes, telephone lines or conduits and electric installations situated upon, over and under said vacated alley.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled, "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal annual installments with interest at the rate of five (5) per cent. per annum. Under no circumstances shall the City of Fort Wayne, Indiana, be or be held responsible for any sum or sums due from said property owner or owners, for said condemnation of property or for the payment of any bond or bonds, certificate or certificates issued in payment for such property damages except for such moneys as shall have been actually received by the City from the assessments for such property damages or such moneys as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All of said lots affected by the above described alley vacation and alley opening being situated within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

Adopted this 14th day of November 194 0.

Attest: Charles F. Joss
Secretary

David Lewis
W. Johnson
Board of Public Works.



OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE, INDIANA

November 12, 1940

Mr. Chauncey R. McAnlis
City Engineer
City of Fort Wayne, Indiana

Dear Sir:

You are hereby instructed to prepare plans for the vacation of the first east and west alley north of Swinney Avenue from Broadway to a point 16 feet east of the west line of the west 28 feet of Lot 32, Edsall's Addition, and for the opening of an alley 16 feet in width on the west 16 feet of the west 28 feet of said Lot 32, from Swinney Avenue to said east and west alley, with proper reservations for access to all utility installations, such as sewers, drains, water pipes, gas pipes and electric installations maintained upon, over and under said vacated portion of said alley for the purpose of maintaining and repairing the same.

Yours truly,

ATTEST:

CFH:HS

C. F. Hines

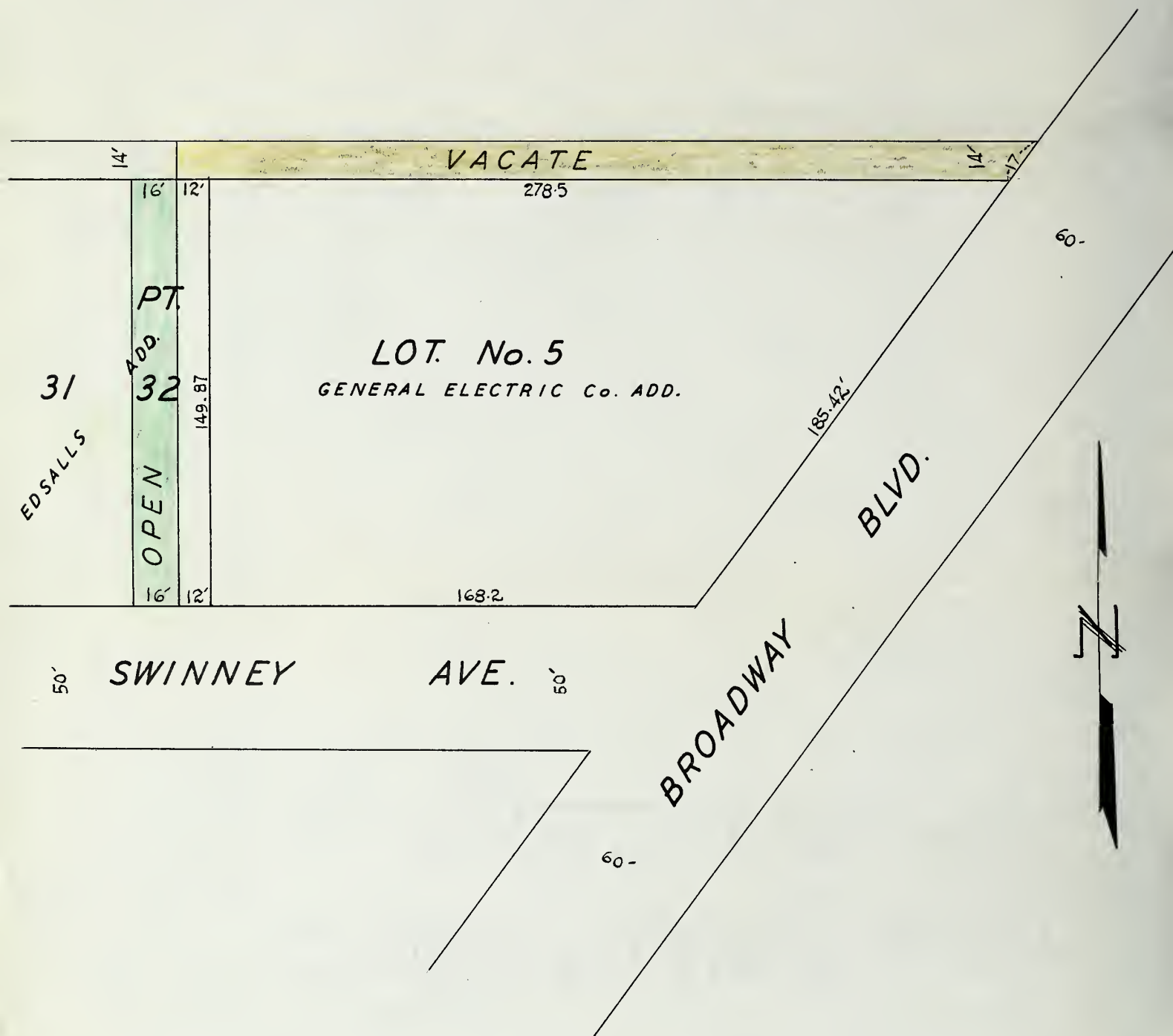
SECRETARY

Robert J. Lewis

David Lewis

W. H. Johnson

BOARD OF PUBLIC WORKS



Plan of the vacation of the first alley north of Swinney Avenue from the west line of Broadway to a point sixteen (16) feet east of the west property line of Lot Number thirty-two (32) Edsall's Addition; also for the opening of an alley on the west sixteen (16) feet of Lot Number thirty-two (32) Edsall's Addition.

Declaratory Resolution No. 726-1940

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned petitioner, General Electric Company, represents that your petitioner owns and occupies all the real estate abutting on the north side of the first alley north of Swinney Avenue between Broadway and College Street and owns the real estate abutting on the south side of said alley from Broadway west to the west line of the west 28 feet of Lot 32, Edsall's Addition to the City of Fort Wayne; that said alley is 12 feet wide and your petitioner's building No. 19 extends along the north line thereof and its buildings 21 and 23 extend along the south side thereof; that all of said buildings are exposed to said alley and the east portion of said alley prevents your petitioner from fencing in said buildings to provide, in the present emergency, adequate and necessary protection for said buildings and contents against sabotage and damage, and it is therefore a detriment to your petitioner.

Your petitioner further represents that if the portion of the said alley extending from Broadway west to a point 16 feet from the west line of the west 28 feet of Lot 32, Edsall's Addition is vacated and an alley 16 feet wide is opened on the west 16 feet of said west 28 feet of said Lot 32 and extending south from said alley to Swinney Avenue your petitioner will be enabled to give the required protection to its said buildings by fencing; that the public will not be denied the use of the remainder of said alley but will have free use of it and free access to it at either end; that traffic in said alley will enter or leave it on Swinney Avenue instead of on Broadway and remove the hazard of an alley opening into Broadway.

Your petitioner further represents that it will open and pave the new alley at its own expense.

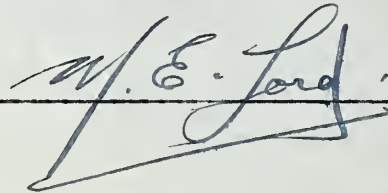
WHEREFORE, your petitioner prays that the first east and west alley north of Swinney Avenue be vacated from Broadway to a point

16 feet east of the west line of the west 28 feet of Lot 32, Edsall's Addition and an alley 16 feet in width be opened on the west 16 feet of the west 28 feet of said Lot 32 from Swinney Avenue to said east and west alley with proper reservations for access to all utility installations, such as sewers, drains, water pipes, gas pipes and electric installations maintained upon, over and under said vacated portion of said alley for the purpose of maintaining and repairing the same.

All of which is respectfully submitted.

GENERAL ELECTRIC COMPANY

By

A handwritten signature in blue ink, appearing to read "W. E. Lord", is written over a horizontal line.

Petition by
General Electric Co.

to vacate the east
part of the first
alley north of Swining
and running west from
Broadway and to open
an alley on the west
28 feet of Lot 32 Edsall
Addition.

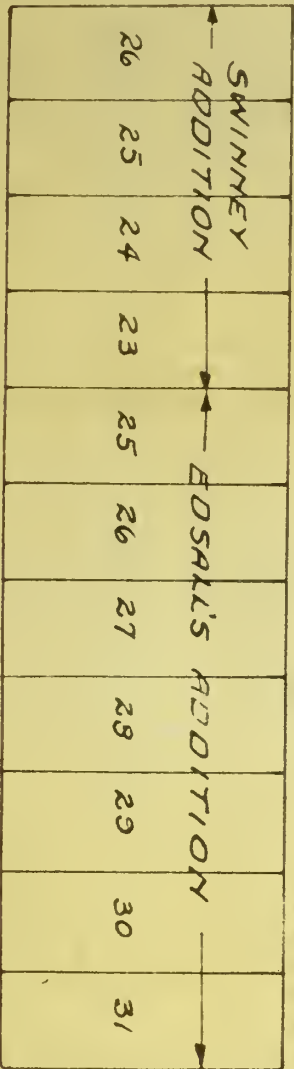
PLANS ORDERED: NOV. 12, 1940

COLLEGE

ST.

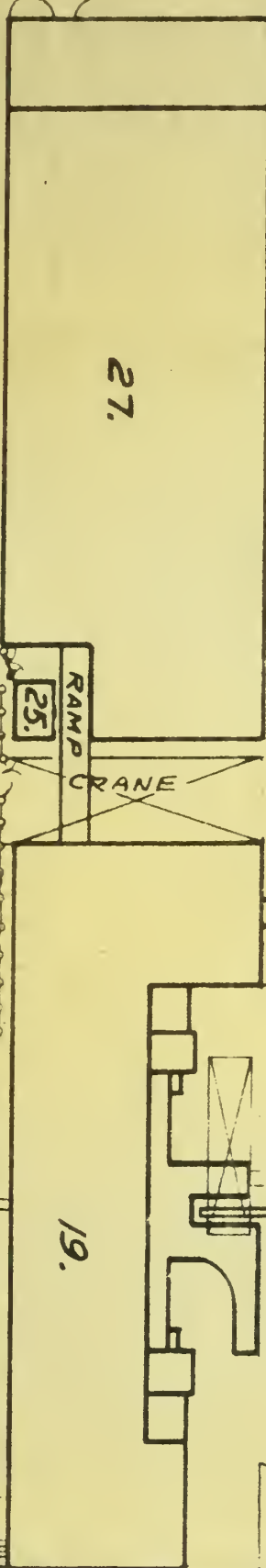
SWINNEY

AVE.

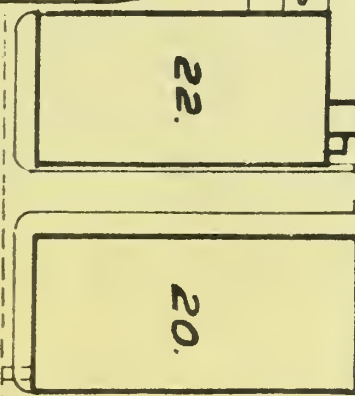


RECREATION
BLDG. 23.

EMPLOYMENT
OFFICE AND
DISPENSARY
BL.



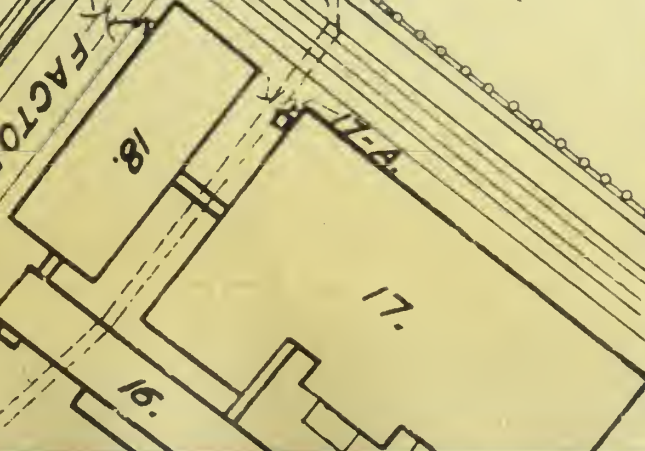
ST.



OVERPASS

LEYRAQUE ST

FACTORY



ST.



PARK.

McCULLOCH

